REMARKS

Claims 1-18 were examined by the Office, and all claims are rejected. With this response claims 1, 13, 16 and 17 are amended. Support for the amendments can be found at least at page 9, lines 28-37 of the specification. Applicant respectfully requests reconsideration and withdrawal of the rejections in light of the amendments and following remarks.

This response is submitted along with a Request for Continued Examination (RCE).

Claim Rejections Under § 102

In section 3, on page 3 of the Office Action, claims 1-2, 4-11 and 13-17 are rejected under 35 U.S.C. § 102(e) as anticipated by Robarts et al. (U.S. Appl. Publ. No. 2004/0002843). Independent claim 1 is amended to particularly point out and distinctly claim the invention in a manner that is believed to further distinguish claim 1 from Robarts. Applicant respectfully submits that claim 1 as amended is not disclosed or suggested by Robarts, because Robarts fails to disclose or suggest all of the limitations recited in claim 1 as amended. Claim 1 is amended to clarify that a simulated message is generated by accessing a standard communication functionality of a terminal device, and that the simulated message has the appearance of a typical message of the standard communication functionality. Therefore, claim 1 as amended recites that the generating, presenting and appearance of the simulated message are all related to the standard communication functionality. The amendments to claim 1 further distinguish claim 1 from Robarts, because Robarts at least fails to disclose or suggest that a simulated message is generated by accessing a standard communication functionality of a terminal device.

In contrast to the limitations recited in amended claim 1, Robarts discloses that a communication interaction routine provided by the simulation engine may reside and be executed by the narrative engine portion of the simulation engine. See Robarts paragraph [0099]. The communication may be pre-formulated questions that are retrieved from a data repository, which is part of the simulation engine itself. See Robarts Figure 10. Therefore, the simulation engine does not generate the communication by accessing a standard communication functionality of the electronic device, because the communication is stored in the simulation engine. While the simulation engine may communicate with a user by changing some state of the user's device, by

blinking a light for example, this only means that the simulation engine at most can indicate to the user of the presence of a communication from the simulation engine. The blinking of a light or ringing of a cell phone is not the generation of a simulated message as recited in claim 1. Instead, this indications only notify the user of the device that a communication is present or incoming. The actual communication is retrieved from the simulation engine in Robarts, and is not generated by <u>accessing</u> a standard communication functionality of the terminal device, as recited in claim 1. Therefore, for at least this reason the amendments to claim 1 distinguish the patentable subject matter of claim 1 from Robarts, since Robarts fails to disclose or suggest all of the limitations recited in amended claim 1.

Claims 2, and 4-11 ultimately depend from independent claim 1, and are patentable over the cited reference at least in view of their dependencies.

Claims 13 and 17 contains limitations similar to those recited in claim 1, and is amended in a manner similar to claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claims 13 and 17 are not disclosed or suggested by Robarts.

Claims 14, 15 and 18 ultimately depend from independent claims 13 and 17, and are patentable over the cited reference at least in view of their dependencies.

Claim 16 contains limitations similar to those recited in claim 1, and is amended in a manner similar to claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claim 16 is not disclosed or suggested by Robarts.

Claim Rejections Under § 103

In section 7, on page 10 of the Office Action claim 3 is rejected under 35 U.S.C. § 103(a) as unpatentable over Robarts in view of Liu et al. (U.S. Patent No. 6,134,514). Claim 3 ultimately depends from independent claim 1, and therefore is patentable over the cited references at least in view of its dependency.

In section 8, on page 11 of the Office Action claim 12 is rejected under 35 U.S.C. § 103(a) as unpatentable over Robarts in view of Brocket et al. (U.S. Patent No. 5,794,128). Claim 12 ultimately depends from independent claim 1, and therefore is patentable over the cited references at least in view of its dependency.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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